

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KENNETH KIRKLAND,

Defendant.

Case No. 07-CR-30137-MJR

ORDER

REAGAN, District Judge:

On July 16, 2009, the Court received a motion from Kirkland to reduce his sentence (Doc. 100). This Court has no jurisdiction to rule on Kirkland's motion, however, because Kirkland's case is currently on appeal before the Seventh Circuit. In any case, "[a] district judge may . . . correct a final judgment to reflect the sentence he actually imposed but he cannot change the sentence he did impose even if the sentence was erroneous." *United States v. Lawrence*, 535 F.3d 631, 636 (7th Cir. 2008) (quoting *United States v. Eskridge*, 445 F.3d 930, 934 (7th Cir. 2006)).

Accordingly, the Court **DENIES** Kirkland's motion for lack of jurisdiction (Doc. 100).

IT IS SO ORDERED.

DATED this 17th day of July 2009.

s/ Michael J. Reagan
MICHAEL J. REAGAN
United States District Judge